

United States District Court

(BOSTON)

DISTRICT OF MASSACHUSETTS

John F. Richards
Plaintiff,

V.

Mass. Dept. of Corrections
et al, Defendants,

APPLICATION TO PROCEED IN FORMA PAUPERIS, SUPPORTING DOCUMENTATION AND ORDER

CASE NUMBER: 04-cv-10291-RWZ.

I, John F. Richards, declare that I am the (check appropriate box)

☒ petitioner/plaintiff
☐ movant (filing 28 U.S.C. 2255 motion)

☐ respondent/defendant

☐ _____ other

in the above-entitled proceeding; that, in support of my request to proceed without being required to prepay fees, cost or give security therefor, I state that because of my poverty, I am unable to pay the costs of said proceeding or give security therefor; that I believe I am entitled to relief. The nature of my action, defense, or other proceeding or the issues I intend to present on appeal are briefly stated as follows:

Prisoner Civil Rights action for failure to provide adequate medical treatment, Cruel and Unusual Punishment, Willful neglect and infliction of physical and emotional pain.

In further support of this application, I answer the following questions.

1. Are you presently employed?

Yes ☐ No ☒

a. If the answer is "yes," state the amount of your salary or wages per month, and give the name and address of your employer. (list both gross and net salary)

b. If the answer is "no," state the date of last employment and the amount of the salary and wages per month which you received.

Been incarcerated since 1984.

2. Have you received within the past twelve months any money from any of the following sources?

a. Business, profession or other form of self-employment

Yes ☐ No ☒

b. Rent payments, interest or dividends?

Yes ☐ No ☒

c. Pensions, annuities or life insurance payments?

Yes ☐ No ☒

d. Gifts or inheritances?

Yes ☐ No ☒

e. Any other sources?

Yes ☒ No ☐

AO 240 Reverse

If the answer to any of the above is "yes," describe each source of money and state the amount received from each during the past twelve months.

I received \$50.00 from my family as a gift at Christmas time.

3. Do you own any cash, or do you have money in checking or savings accounts?

Yes ☒ No ☐ (Include any funds in prison accounts.)

If the answer is "yes," state the total value of the items owned.

Inmate savings account.

4. Do you own or have any interest in any real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing)?

Yes ☐ No ☒

If the answer is "yes," describe the property and state its approximate value.

5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 03/11/04
(Date)

John T. Richard pro-se,
Signature of Applicant

CERTIFICATE (Prisoner Accounts Only)

I certify that the applicant named herein has the sum of \$ _____ on account to his credit at the _____ institution where he is confined. I further certify that the applicant likewise has the following securities to his credit according to the records of said institution: _____

I further certify that during the last six months the applicant's average balance was \$ _____

Authorized Officer of Institution

ORDER OF COURT

The application is hereby denied

United States Judge

Date

The application is hereby granted. Let the applicant proceed without prepayment of cost or fees or the necessity of giving security therefor.

United States Judge
or Magistrate

Date

United States District Court

(BOSTON)

DISTRICT OF MASSACHUSETTS

John F. Richards

Plaintiff

APPLICATION TO PROCEED WITHOUT PREPAYMENT OF FEES AND AFFIDAVIT

V.

Mass. Dept. of Corrections
et al, Defendant's

CASE NUMBER: 04-cv-10291-RWZ.

I, John F. Richards declare that I am the (check appropriate box)
☒ petitioner/plaintiff/movant ☐ other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 U.S.C. §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☐ No (If "No" go to Part 2)

If "Yes" state the place of your incarceration MCI-Shirley Medium/Shirley, Massachusetts

Are you employed at the institution? NO Do you receive any payment from the institution? NO

Have the institution fill out the Certificate portion of this affidavit and attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed? ☐ Yes ☒ No

a. If the answer is "Yes" state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No" state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

3. In the past twelve months have you received any money from any of the following sources?

a. Business, profession or other self-employment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
b. Rent payments, interest or dividends	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
c. Pensions, annuities or life insurance payments	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
d. Disability or workers compensation payments	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
e. Gifts or inheritances	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
f. Any other sources	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

If the answer to any of the above is "yes" describe each source of money and state the amount received and what you expect you will continue to receive.

\$50.00 Gift at Christmas time. No other income expected.

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF CORRECTION

Inmate Transaction Report

Date : 20040315 09:40

Commit# : C49993

MCI SHIRLEY (MEDIUM)

Page : 1

Name : RICHARDS, JOHN, .

Statement From 20030915

Inst : MCI SHIRLEY (MEDIUM)

To 20040315

Block : C-1

Cell/Bed : 22 /22B

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
Total Transaction before this Period :						\$970.47	\$967.89	\$2,502.65	\$915.32
20030923 22:31	CN - Canteen	1718567		SHI	~Canteen Date : 20030923	\$0.00	\$2.38	\$0.00	\$0.00
20031008 16:59	IS - Interest	1786612		SHI		\$0.00	\$0.00	\$0.00	\$0.00
20031008 16:59	IS - Interest	1786613		SHI		\$0.00	\$0.00	\$1.95	\$0.00
20031010 10:56	AT - Account Transfer	1809103		SHI	~LEGAL FEES-C49993	\$100.00	\$0.00	\$0.00	\$100.00
20031010 10:57	EX - External Disbursement	1809114	42201	SHI	RICHARDS,JOHN PERSONAL	\$0.00	\$100.00	\$0.00	\$0.00
20031010 11:02	AT - Account Transfer	1809187		SHI	~LEGAL FEES-CLERK, MIDDLESEX COUNTY	\$50.00	\$0.00	\$0.00	\$50.00
20031021 22:30	CN - Canteen	1846437		SHI	~CANTEEN/COSMETICS-C49993	\$0.00	\$48.22	\$0.00	\$0.00
20031022 09:27	AT - Account Transfer	1848618		SHI	RICHARDS,JOHN PERSONAL	\$35.84	\$0.00	\$0.00	\$35.84
20031022 09:28	IC - Transfer from Inmate to Club A/c	1848621		SHI	~APPLIANCES-CANTEEN CORP WASH ACCOUNT - Z6-CANTEEN CORP. WASH ACCOUNT - Z6	\$0.00	\$35.84	\$0.00	\$0.00
20031028 22:30	CN - Canteen	1877175		SHI	~Canteen Date : 20031028	\$0.00	\$1.71	\$0.00	\$0.00
20031103 13:21	IC - Transfer from Inmate to Club A/c	1897261		SHI	~HAIRCUT REVENUE - Z3-HAIRCUT REVENUE - Z3	\$0.00	\$1.50	\$0.00	\$0.00
20031103 13:21	AT - Account Transfer	1897258		SHI	~HAIRCUT-C49993	\$1.50	\$0.00	\$0.00	\$1.50
20031104 13:59	IC - Transfer from Inmate to Club A/c	1902127		SHI	RICHARDS,JOHN PERSONAL	\$0.00	\$210.04	\$0.00	\$0.00
20031104 13:59	AT - Account Transfer	1902126		SHI	~CLOTHING-KCN WASH ACCOUNT - Z5-KCN WASH ACCOUNT - Z5	\$210.04	\$0.00	\$0.00	\$210.04
20031107 16:28	IS - Interest	1931577		SHI	~CLOTHING-C49993	\$0.02	\$0.00	\$0.00	\$0.00
20031107 16:28	IS - Interest	1931578		SHI	RICHARDS,JOHN PERSONAL	\$0.00	\$0.00	\$1.92	\$0.00
20031121 09:31	AT - Account Transfer	1995878		SHI	~CANTEEN/COSMETICS-C49993	\$50.00	\$0.00	\$0.00	\$50.00
20031125 22:31	CN - Canteen	2010652		SHI	RICHARDS,JOHN PERSONAL	\$0.00	\$0.21	\$0.00	\$0.00
20031209 13:42	IS - Interest	2067697		SHI	~Canteen Date : 20031122	\$0.02	\$0.00	\$0.00	\$0.00
20031209 13:42	IS - Interest	2067698		SHI		\$0.00	\$0.00	\$1.55	\$0.00
20031209 22:30	CN - Canteen	2077906		SHI	~Canteen Date : 20031209	\$0.00	\$30.56	\$0.00	\$0.00
20031216 22:30	CN - Canteen	2108306		SHI	~Canteen Date : 20031216	\$0.00	\$19.11	\$0.00	\$0.00
20031217 10:05	ML - Mail	2110399		SHI	~SOUTH SHORE#	\$50.00	\$0.00	\$0.00	\$0.00
20031222 22:31	CN - Canteen	2139354		SHI	297435-MURPHY, JEREMIAH, .	\$0.00	\$43.24	\$0.00	\$0.00
20031230 22:30	CN - Canteen	2172062		SHI	~Canteen Date : 20031222	\$0.00	\$3.23	\$0.00	\$0.00
20040106 22:30	CN - Canteen	2200392		SHI	~Canteen Date : 20040106	\$0.00	\$3.79	\$0.00	\$0.00
20040113 12:06	IS - Interest	2235070		SHI		\$0.03	\$0.00	\$0.00	\$0.00
20040113 12:06	IS - Interest	2235071		SHI		\$0.00	\$0.00	\$1.54	\$0.00
20040115 12:16	AT - Account Transfer	2259351		SHI	~CANTEEN/COSMETICS-C49993	\$50.00	\$0.00	\$0.00	\$50.00
				SHI	RICHARDS,JOHN PERSONAL				

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF CORRECTION
Inmate Transaction Report**

Date : 20040315 09:40

Commit# : C49993

Name : RICHARDS, JOHN,

Inst : MCI SHIRLEY (MEDIUM)

Block : C-1

Cell/Bed : 22 /22B

MCI SHIRLEY (MEDIUM)

Page : 2

Statement From 20030915

To 20040315

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
20040115 15:13	IC - Transfer from Inmate to Club A/c	2259669		SHI	~OPTOMETRIST 12/10/03~MEDICAL CO-PAYMENT - Z4~MEDICAL CO-PAYMENT - Z4	\$0.00	\$3.00	\$0.00	\$0.00
20040120 22:30	CN - Canteen	2273579		SHI	~Canteen Date : 20040120	\$0.00	\$47.16	\$0.00	\$0.00
20040210 11:41	IS - Interest	2364575		SHI		\$0.01	\$0.00	\$0.00	\$0.00
20040210 11:41	IS - Interest	2364576		SHI		\$0.00	\$0.00	\$1.46	\$0.00
20040227 07:09	IC - Transfer from Inmate to Club A/c	2448889		SHI	~CLOTHING ORDER~KCN WASH ACCOUNT - Z5~KCN WASH ACCOUNT - Z5	\$0.00	\$62.92	\$0.00	\$0.00
20040227 07:09	AT - Account Transfer	2448888		SHI	~FOR CLOTHING ORDER~C49993 RICHARDS,JOHN PERSONAL	\$62.92	\$0.00	\$0.00	\$62.92
20040303 09:56	AT - Account Transfer	2462646		SHI	~CANTEEN/COSMETICS~C49993 RICHARDS,JOHN PERSONAL	\$50.00	\$0.00	\$0.00	\$50.00
20040309 14:53	IS - Interest	2495900		SHI		\$0.00	\$0.00	\$0.00	\$0.00
20040309 14:53	IS - Interest	2495901		SHI		\$0.00	\$0.00	\$1.39	\$0.00
20040309 22:30	CN - Canteen	2506473		SHI	~Canteen Date : 20040309	\$0.00	\$44.84	\$0.00	\$0.00
20040310 10:25	EX - External Disbursement	2508526	43800	SHI	~COURT FEES - CIVIL# 04-CV-10291-RWZ~U.S DISTRICT COURT	\$0.00	\$150.00	\$0.00	\$0.00
20040310 10:25	AT - Account Transfer	2508524		SHI	~US DISTRICT COURT FEES~C49993 RICHARDS,JOHN PERSONAL	\$150.00	\$0.00	\$0.00	\$150.00
						\$810.38	\$807.75	\$9.8	\$760.30

Balance as of ending date : Personal \$5.21 Savings \$816.84

Current Balances :

Personal	Savings	Freeze	Loan	Restitution	Sentence
\$5.21	\$836.84	\$0.00	\$0.00	\$0.00	\$0.00